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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,894	04/27/2001	Hiroko Shimizu	1341.1092	7590
21171	7590	10/04/2003	EXAMINER SING, SIMON P	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 10/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,894

Applicant(s)

SHIMIZU ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1.1 Claims 9, 12, 14, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Each claim recites a limitation "a unified manner", which is indefinite, failing to conform with current U.S. practice. It appears to be a literal translation into English from a foreign document and is replete with grammatical and idiomatic errors.

1.2. Claim 9 recites the limitation "the queue" in line18. There is insufficient antecedent basis for this limitation in the claim.

1.3. Claims 10-13 recite the limitation "claim 1" in line1. There is insufficient antecedent basis for this limitation in these claims. [Note: claims 1-8 had been deleted by a preliminary amendment].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9, 12 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Price US 6,389,132.

2.1 Regarding claim 9, Price discloses a multi-tasking call center in figure 1, comprising:

at least one customer [client] terminal comprising either a telephone or a computer, said computer is able to access the call center 28 via Internet 14 and a Web Server 18 (Figure 1; column 3, lines 57-65) for making an inquiry (column 1, lines 5-8; column 2, lines 62-67; column 3, line 1);

at least one agent [operator] terminal through which an agent receives the inquiry from the customer (Figure 1; column 4, lines 1-2); and

a contact server 20 connected to said customer terminal and agent terminal (Figure 1);

said customer terminal including:

a user interface with which the customer can select a type of communication media to be used when receiving an answer from the agent (column 4, lines 7-14; column 7 lines 30-41); and

a transmission unit which transmits the information related to the communication media selected by the user, contents of the inquiry, and information related to the user to said server (column 3, lines 60-65; column 4, lines 7-9; column 7, lines 34-41), and said server including:

a queue-managing unit which queue-manages inquiries in which the user has either selected a telephone call as the type of communication media or made the inquiry over a telephone (column 3, lines 66-67; column 7, lines 34-36); and

a processing unit which successively processes the inquiries in a queue on said agent terminal (column 4, lines 1-5).

2.2 Regarding claim 12, Price teaches a call center with a plurality of agent serving a plurality of customers (Figure 1). It is inherent that a plurality of customers can be notified at the same time (column 7, lines 30-36).

2.3 Regarding claim 13, Price teaches that a customer may using a computer to access the call center through Internet 14 and web server 18 in figure 1. Price further teaches a customer may be connected to the call center's website (column 4, lines 16-22). The customer's computer thus has a user interface so that the customer may enter necessary information (column 4, lines 7-15; column 7, lines 34-41).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price US 6,389,132 in view of Anderson et al. US 6,233,332.

3.1 Regarding claim 10, Price teaches queuing customers at a call center, but fails to teach multiple queues according to media types.

However, Anderson discloses a system for media independent communications processing of a call center in figures 1-3. Anderson teaches queuing incoming call as a function of media type (column 2, lines 13-17). Since incoming calls can be queued by it media types, inherently outgoing calls can also be queued accordingly.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Price's reference with the teaching of Anderson so that incoming call would have been queued according to media types (i.e. telephone call [second queue] and e-mail), and outgoing [returning] calls would have also been queued accordingly (i.e. telephone call [first queue] and e-mail). In addition, since the second queue would have put customers on-hold, it would have had priority over the first queue [returning responses] and thus would have been processed first,

because such a modification would have sent different queues [media types of customers] to different agents according to the media capability of the agent terminals to enhance the efficiency of the call center.

3.2 Regarding claim 11, the Price's reference, modified by Anderson, teaches queuing incoming call as a function of media types, such as voice [telephone call]. Price further teaches processing successively allocates the inquiries in a queue to an agent (column 4, lines 1-2).

3.3 Regarding claim 14, Price discloses a method for receiving an inquiry from a customer terminal, giving a response to the customer through an agent terminal, the customer terminal may be a telephone or a computer capable to access homepages or send and receive e-mails (Figure 1; column 3, lines 57-61; column 4, lines 7-15; column 7, lines 30-41), comprising steps of:

a customer selecting a media type, to be used when receiving a response from an agent terminal (column 4, lines 7-15; column 7, lines 34-41);

said customer terminal transmitting information related to the type of communication media type selected by the user, the contents of the inquiry and information related to the user to a server (column 1, lines 5-8; column 2, lines 62-67; column 3, line 1; column 7, lines 34-41); and

said server queue-managing the inquiries in a queue (column 3, lines 66-67).

Price fails to teach managing queues in accordance to media types.

However, Anderson discloses a system for media independent communications processing of a call center in figures 1-3. Anderson teaches queuing incoming call as a function of media type (column 2, lines 13-17). Since incoming calls (inbound queues) can be queued by it media types, inherently outgoing calls (outbound queues) can also be queued accordingly.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Price's reference with the teaching of Anderson so that incoming call would have been queued according to media types (i.e. telephone call [second queue] and e-mail), and outgoing [returning] calls would have also been queued accordingly (i.e. telephone call [first queue] and e-mail). In addition, since the second queue would have put customers on-hold, it would have had priority over the first queue [returning responses] and thus would have been processed first, because such a modification would have sent different queues [media types of customers] to different agents according to the media capability of the agent terminals to enhance the efficiency of the call center.

3.4 Regarding claims 15 and 16, Price discloses a method for receiving an inquiry from a customer terminal, giving a response to the customer through an agent terminal, the customer terminal may be a telephone or a computer capable to access homepages or send and receive e-mails (Figure 1; column 3, lines 57-61; column 4, lines 7-15; column 7, lines 30-41), since Price's system utilizes servers 18-22 and computers [both user and agent terminals], inherently it has computer programs for:

display a user interface to a customer's terminal so that a customer can select a media type, to be used when receiving a response from an agent terminal (column 4, lines 7-15; column 7, lines 34-41);

transmitting from said customer terminal information related to the type of communication media type selected by the user, the contents of the inquiry and information related to the user to a server (column 1, lines 5-8; column 2, lines 62-67; column 3, line 1; column 7, lines 34-41); and

said server queue-managing the inquiries in a queue (column 3, lines 66-67).

Price fails to teach computer programs for managing queues in accordance to media types.

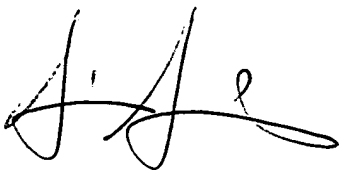
However, Anderson discloses a system for media independent communications processing of a call center in figures 1-3. Anderson teaches queuing incoming call as a function of media type (column 2, lines 13-17). Since incoming calls (inbound queues) can be queued by it media types, inherently outgoing calls (outbound queues) can also be queued accordingly.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Price's reference with the teaching of Anderson so that an additional computer program would have been stored for queuing incoming call according to media types (i.e. telephone call [second queue] and e-mail), and outgoing [returning] calls accordingly (i.e. telephone call [first queue] and e-mail). In addition, since the second queue would have put customers on-hold, it would have had priority over the first queue [returning responses], and thus would have been

processed first, because such a modification would have sent different queues [media types of customers] to different agents according to the media capability of the agent terminals to enhance the efficiency of the call center.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

09/30/2003

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